

Virginia Regulatory Town Hall

Notice of Intended Regulatory Action Agency Background Document

Agency Name:	Department of Education
VAC Chapter Number:	160
Regulation Title:	Regulations Governing Secondary School Transcript
Action Title:	Regulatory Review submission
Date:	4/17/00

This information is required prior to the submission to the Registrar of Regulations of a Notice of Intended Regulatory Action (NOIRA) pursuant to the Administrative Process Act § 9-6.14:7.1 (B). Please refer to Executive Order Twenty-Five (98) for more information.

Purpose

Please describe the subject matter and intent of the planned regulation. This description should include a brief explanation of the need for and the goals of a new or amended regulation.

In June 1995, the Board of Education adopted new Standards of Learning in the core subject areas of mathematics, science, English, and history and social sciences. The new standards raised the academic expectations for all students in Virginia's public schools. Subsequently, the Board of Education adopted revised Standards of Accreditation. Thus, the Regulations Governing Secondary School Transcripts need to be revised to require that verified units earned by students be recorded on the students' transcripts.

The high school transcript forms a perpetual record of the students' academic progress. Therefore, the proposed revisions are important to the public's welfare in order to ensure that all students' transcripts are complete and accurate and provide the documentation necessary to affirm that students have met the requisite academic requirements for earning the high school diploma.

Basis

Please identify the state and/or federal source of legal authority to promulgate the contemplated regulation. The discussion of this authority should include a description of its scope and the extent to which the authority is mandatory or discretionary. The correlation between the proposed regulatory action and the

legal authority identified above should be explained. Full citations of legal authority and web site addresses, if available, for locating the text of the cited authority must be provided.

Article VIII, § 4 of the Virginia Constitution vests general supervisory authority for the public schools in the Virginia Board of Education, as follows:

The general supervision of the public school system shall be vested in a Board of Education of nine members, to be appointed by the Governor, subject to confirmation by the General Assembly. (<http://legis.state.va.us/vaonline/li1h.htm>)

Additionally, the Code of Virginia authorizes the Board to promulgate regulations necessary to carry out those powers and duties given to it. § 22.1-253.13:3 (B) of the Code authorizes the Board to promulgate Standards of Accreditation which include student outcome measures, course and credit requirements for graduation from high school and assessments to measure student progress, as follows:

B. The Board of Education shall promulgate regulations establishing standards for accreditation pursuant to the Administrative Process Act (§ 9-6.14:1 et seq.) which shall include, but not be limited to, student outcome measures, requirements and guidelines for instructional programs, administrative and instructional staffing levels and positions, pupil personnel services, special education program standards, auxiliary education programs such as library and media services, course and credit requirements for graduation from high school, community relations, and the philosophy, goals, and objectives of public education in Virginia.

In establishing course and credit requirements for a high school diploma, the Board shall provide for the selection of integrated learning courses meeting the Standards of Learning and approved by the Board to satisfy graduation credit requirements which shall include Standards of Learning Testing, as necessary.

The Board shall include in the student outcome measures which are required by the Standards for Accreditation, end-of-course or end-of-grade tests for various grade levels and classes, as determined by the Board, in accordance with the Standards of Learning. These Standards of Learning assessments shall include, but need not be limited to, end-of-course or end-of-grade tests for English, mathematics, science, and social studies. <http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+22.1-253.13C3>

Further, § 22.1-253.13:4 authorizes the Board to prescribe requirements for completion of high school programs, as follows:

C. Each local school board shall award diplomas to all secondary school students, including students who transfer from nonpublic schools or from home instruction, who earn the units of credit prescribed by the Board of Education, pass the prescribed tests, and meet such other requirements as may be prescribed by the local school board and approved by the Board of Education. Provisions shall be made for students who transfer between secondary schools and from nonpublic schools or from home instruction as outlined in the standards for accreditation.

Further, reasonable accommodation to meet the requirements for diplomas shall be provided for otherwise qualified students with disabilities as needed. <http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+22.1-253.13C4>

Substance

Please detail any changes that would be implemented: this discussion should include a summary of the proposed regulatory action where a new regulation is being promulgated; where existing provisions of a regulation are being amended, the statement should explain how the existing regulation will be changed. The statement should set forth the specific reasons the agency has determined that the proposed regulatory action would be essential to protect the health, safety or welfare of citizens. In addition, a statement delineating any potential issues that may need to be addressed as the regulation is developed shall be supplied.

The Standards of Accreditation require that students earn *verified units of credit* in addition to the standard unit of credit. A *verified unit of credit* is awarded when, in addition to successfully completing a 140-hour course, the student passes the associated Standards of Learning test. Beginning with the ninth graders in 2000-01, a student must earn verified units of credit in order to graduate. That is, for the Standard diploma a student must earn 22 units of credit and six verified units of credit. For the Advanced Studies diploma, a student must earn 24 units of credit and nine verified units of credit.

SOL tests have been developed for the following specific high school courses:

English	Grade 9-11 SOL—there are two tests: a reading, literature, and research multiple choice test and a writing test made up of an essay and multiple-choice items.
Math	Algebra I Algebra II Geometry
History	World History to 1000 A.D. plus World Geography World History from 1000 A.D. to Present plus World Geography U. S. History World Geography
Science	Earth Science Biology Chemistry

In high school, the tests are given for certain high school courses and are given each year in the fall, spring, and summer. If a student does not pass a SOL test that is needed for the verified credit for a

diploma, then the student needs to retake the test until he or she passes it in order to qualify to earn either the Standard or Advanced Studies Diploma.

The proposed substantive change in the regulations is the provision that the total verified credits earned will be recorded on the student transcript. This provision is not contained in the current regulations, and the change is proposed in order to indicate whether a student has met all requirements for graduation, which includes earning verified units as specified in the Standards of Accreditation. No additional changes in the current regulations are anticipated at this point in the regulatory review process.

Alternatives

Please describe, to the extent known, the specific alternatives to the proposal that have been considered and will be considered to meet the essential purpose of the action.

The Board of Education considered the alternative of requiring that no SOL test information be included on the transcript. This option was rejected because of the requirement for verified credit in the Standards of Accreditation and the subsequent need to ensure that all students met this diploma requirement. The alternative of making no changes in the current regulation was rejected for the same reason. Finally, the Board considered the alternative of requiring that passing scores be recorded on the transcript. This option was rejected because local school division personnel and parents from throughout the state emphatically recommended that these scores not be placed on the transcripts.

Family Impact Statement

Please provide a preliminary analysis of the potential impact of the proposed regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

These regulations are anticipated to have no impact on family stability, family income, or the institution of the family. The provision is expected to give students and their families additional documentation that academic requirements for a high school diploma have been met by all students who receive this diploma. The provision will also give the parents of public school students additional assurances that high school transcripts contain the information required by the Standards of Accreditation.